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United States Attorney
District of Hawaii

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

FLORENCE T. NAKAKUNI #2286
Chief, Narcotics Section

NOV 03 2004

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at 2 o'clock and 34 min. P. M.
WALTER A.Y.H. CHINN, CLERK

Attorneys for Plaintiff
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

CR04-00416 HG

UNITED STATES OF AMERICA,)

CR. NO.

Plaintiff,)

INDICTMENT

vs.)

[21 U.S.C. §§ 846; 841(a)(1);
841(b)(1)(B) & (C)]

MAC NGUYEN, (01))

PHONG TIEN CHIEM, (02))

ANTHONY RUMBAUGH, (03))

Defendants.)

INDICTMENT

COUNT 1

The Grand Jury charges:

At a date unknown to the Grand Jury, but at least beginning by September 2004, continuing to October 26, 2004, in the District of Hawaii and elsewhere, MAC NGUYEN, PHONG TIEN CHIEM and ANTHONY RUMBAUGH, the defendants, did willfully and

unlawfully conspire together and with other persons known and unknown to the Grand Jury, to distribute and to possess with intent to distribute 500 grams or more of a mixture or substance containing a detectable amount of cocaine, its salts, optical and geometric isomers and salts of its isomers, a Schedule II controlled substances, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B).

All in violation of Title 21, United States Code, Section 846.

COUNT 2

The Grand Jury further charges:

On or about October 19, 2004, in the District of Hawaii and elsewhere, PHONG TIEM CHIEM and ANTHONY RUMBAUGH, the defendants, did knowingly and intentionally distribute 500 grams or more of a mixture or substance containing a detectable amount of cocaine, its salts, optical and geometric isomers and salts of its isomers, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B), and Title 18 United States Code, Section 2.

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COUNT 3

The Grand Jury further charges:

On or about October 26, 2004, in the District of Hawaii, MAC NGUYEN, the defendant, did knowingly and intentionally manufacture marijuana, a Schedule I controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

SENTENCING ALLEGATIONS

With respect to Count 1 of the Indictment:

- (a) MAC NGUYEN, PHONG TIEN CHIEM and ANTHONY RUMBAUGH conspired to distribute and possess with intent to distribute at least 500 grams but less than 2.5 kilograms of cocaine;

With respect to Count 2 of the Indictment:

- (a) PHONG TIEN CHIEM and ANTHONY RUMBAUGH are responsible for at least 500 grams but less than 2.5 kilograms of cocaine;

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With respect to Count 3 of the Indictment:

(b) MAC NGUYEN is responsible for at least 250 grams
but less than one kilogram of marijuana.

DATED: November 3, 2004, at Honolulu, Hawaii.


A TRUE BILL

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FOREPERSON, GRAND JURY

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